



**THE STATUTES OF THE REPUBLIC OF SINGAPORE**

**TRADITIONAL CHINESE MEDICINE PRACTITIONERS  
ACT**

**(CHAPTER 333A)**

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# Traditional Chinese Medicine Practitioners Act

## ARRANGEMENT OF SECTIONS

### PART I

#### PRELIMINARY

#### Section

1. Short title and commencement
2. Interpretation

### PART II

#### TRADITIONAL CHINESE MEDICINE PRACTITIONERS BOARD

3. Establishment of Traditional Chinese Medicine Practitioners Board
4. Functions of Board
5. Chairman of Board
6. Disqualifications for membership of Board
7. Filling of vacancies
8. Meetings and quorum of Board
9. Appointment of executive secretary and other employees
10. Appointment of committees

### PART III

#### REGISTRATION OF TRADITIONAL CHINESE MEDICINE PRACTITIONERS

11. Registrar
12. Register of Traditional Chinese Medicine Practitioners
13. Alteration of Register
14. Prescribed practices of traditional Chinese medicine
15. Refusal of registration
16. Certificate of registration
17. Practising certificate
18. List of registered traditional Chinese medicine practitioners with practising certificates

Section

- 19. Power of Board to cancel registration, etc.
- 20. Costs
- 21. Appeal
- 22. Conviction final and conclusive
- 23. Restoration of registration

PART IV

OFFENCES

- 24. Unlawful engagement in prescribed practice of traditional Chinese medicine
- 25. Recovery of fees
- 26. Fraudulent registration, etc.

PART IVA

DISCIPLINARY PROCEEDINGS AND INQUIRIES

*Division 1 — Voluntary cancellation, suspension, etc.*

- 26A. Voluntary cancellation, suspension, etc.

*Division 2 — Inquiries into complaints against and information on registered persons*

- 26B. Complaints against registered persons
- 26C. Review of complaints and information
- 26D. Withdrawal of complaints and information
- 26E. Inquiries by Inquiry Committees
- 26F. Duties of investigator in inquiries
- 26G. Post-inquiry

*Division 3 — Interim orders*

- 26H. Interim orders

*Division 4 — Inquiry Committees*

- 26I. Appointment of Inquiry Committees
- 26J. Revoking appointment of Inquiry Committees, etc.
- 26K. Confidentiality of information

PART V

MISCELLANEOUS

- 27. Examinations Committee

Section

- 28. Investigators
- 29. Powers for enforcement purposes
- 30. False information and obstruction of performance of official duties
- 30A. Disposal and forfeiture of seized documents, records and things
- 31. Funds of Board
- 32. Assessor to Board
- 33. No action against Board, etc., in absence of bad faith
- 34. Service of documents
- 34A. Composition of offences
- 35. Exemption
- 36. Regulations
- 37. Amendment of Schedule
- 38. [*Repealed*]  
The Schedule

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An Act to provide for the registration of traditional Chinese medicine practitioners and for purposes connected therewith.

[7th February 2001: except sections 24 and 25 ;  
1st January 2002: sections 24 and 25 ]

PART I

PRELIMINARY

**Short title and commencement**

1.—(1) This Act may be cited as the Traditional Chinese Medicine Practitioners Act.

(2) Sections 24 and 25 shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

**Interpretation**

2. In this Act, unless the context otherwise requires —

“acupuncture” means the stimulation of a certain point or points on or near the surface of the human body through any technique of point stimulation (with or without the insertion

of needles), including through the use of electrical, magnetic, light and sound energy, cupping and moxibustion, to normalise physiological functions or to treat ailments or conditions of the human body;

“Board” means the Traditional Chinese Medicine Practitioners Board established under section 3;

“certificate of registration” means a certificate of registration issued by the Board under section 16;

“Chairman” means the Chairman of the Board;

“herbal medicine” means any material or product known or claimed to have therapeutic or other health benefits which contains either raw or processed ingredients of plant, inorganic or animal origin;

“Inquiry Committee” means a committee appointed under section 26I(1);

*[Act 8 of 2019 wef 01/04/2020]*

“institution of higher learning” includes any college and polytechnic;

“interim order” means an order made under section 26H(1);

*[Act 8 of 2019 wef 01/04/2020]*

“investigator” means a person appointed under section 28;

*[Act 8 of 2019 wef 01/04/2020]*

“member” means a member of the Board;

“modify”, in relation to any condition of registration, means —

(a) delete or replace such a condition; or

(b) add a condition of registration;

*[Act 8 of 2019 wef 01/04/2020]*

“practice of traditional Chinese medicine” means any of the following acts or activities:

(a) acupuncture;

- (b) the diagnosis, treatment, prevention or alleviation of any disease or any symptom of a disease or the prescription of any herbal medicine;
- (c) the regulation of the functional states of the human body;
- (d) the preparation or supply of any herbal medicine on or in accordance with a prescription given by the person preparing or supplying the herbal medicine or by another registered person;
- (e) the preparation or supply of any of the substances specified in the Schedule;
- (f) the processing of any herbal medicine; and
- (g) the retailing of any herbal medicine,  
on the basis of traditional Chinese medicine;

“practising certificate” means a practising certificate issued under section 17;

“prescribed practice of traditional Chinese medicine” means any type of practice of traditional Chinese medicine that has been declared by the Minister by order made under section 14(1) as a prescribed practice of traditional Chinese medicine;

“processing” means any type of treatment or preparation applied to a herbal medicine or mixture of herbal medicines based on traditional Chinese medicine before it is being —

- (a) offered for sale;
- (b) supplied to a patient; or
- (c) used for the manufacture of any herbal medicine;

“Register” means the Register of Traditional Chinese Medicine Practitioners kept under section 12;

“registered person” means a person who is registered under section 14 for the carrying out of any prescribed practice of traditional Chinese medicine;

“Registrar” means the Registrar of the Board, and includes any individual acting in that capacity;

*[Act 5 of 2018 wef 01/04/2018]*

“registration” means registration under section 14 for the carrying out of any prescribed practice of traditional Chinese medicine;

“retailing” means the selling of any herbal medicine to a person who obtains the herbal medicine other than for the purpose of wholesale.

## PART II

### TRADITIONAL CHINESE MEDICINE PRACTITIONERS BOARD

#### **Establishment of Traditional Chinese Medicine Practitioners Board**

3.—(1) There shall be established a body to be called the Traditional Chinese Medicine Practitioners Board which shall be a body corporate with perpetual succession and a common seal.

(2) The Board shall consist of not less than 5 and not more than 11 members to be appointed by the Minister, of whom —

- (a) one shall be a registered medical practitioner;
- (b) one shall be the Registrar ex-officio; and
- (c) 2 shall be registered persons with at least 10 years’ experience in any prescribed practice of traditional Chinese medicine.

*[Act 8 of 2019 wef 01/04/2020]*

(3) Every member, except the Registrar, shall hold office for a term of 3 years and shall be eligible for reappointment.

(4) The Minister may, at any time, revoke the appointment of any member without assigning any reason.

## **Functions of Board**

4. The functions of the Board are —

- (a) to approve or reject applications for registration;
- (b) to accredit —
  - (i) courses in the practice of traditional Chinese medicine in Singapore for the purposes of registration; and
  - (ii) the institutions of higher learning in Singapore offering any of these courses;
- (c) to make recommendations to the appropriate authorities for the continuing training and education of registered persons;
- (d) to determine and regulate the conduct and ethics of registered persons; and
- (e) generally to do all such acts, matters and things as are necessary or authorised to be carried out under this Act.

## **Chairman of Board**

5.—(1) The Minister shall appoint one of the members to be the Chairman.

(2) The Chairman shall preside at any meeting of the Board and, in his absence, such member as the members present may elect shall preside at that meeting.

## **Disqualifications for membership of Board**

6. No person shall be a member if —

- (a) he is not a citizen or a permanent resident of Singapore;
- (b) he is an undischarged bankrupt;
- (c) he has been convicted in Singapore or elsewhere of any offence involving fraud, dishonesty or moral turpitude; or
- (d) he is incapacitated by a mental or physical disability.



**Filling of vacancies**

7.—(1) The office of a member shall become vacant if the member —

- (a) dies;
- (b) resigns his office;
- (c) becomes subject to any of the disqualifications specified in section 6;
- (d) without any good and sufficient reason, refuses to accept an appointment as a member of any committee appointed by the Board; or
- (e) has his appointment revoked before the expiry of his term of office.

(2) The Minister may remove from office any member who is absent without leave of the Board from 3 consecutive meetings of —

- (a) the Board; or
- (b) any committee of which he is a member appointed by the Board.

(3) Any question as to whether a person has ceased to be a member shall be determined by the Minister whose decision shall be final.

(4) If any vacancy arises among the members, the Minister may appoint a person to fill the vacancy in the manner in which the appointment to the vacant office was made, and that person shall hold office for as long as the member in whose place he was appointed would have held office.

(5) The Board may act notwithstanding any vacancy in the membership of the Board.

(6) No act done by or under the authority of the Board shall be invalid in consequence of any defect that is afterwards discovered in the appointment or qualification of the members or any of them.

**Meetings and quorum of Board**

8.—(1) The Board shall meet at such times and places as the Chairman or the Registrar may appoint.

(2) At any meeting of the Board, one-half of the total number of members shall form a quorum.

(3) The Chairman or member presiding at any meeting of the Board shall have an original vote and, in the case of an equality of votes, a casting vote.

(3A) However, a member who is or was a member of an Inquiry Committee inquiring into a matter relating to a registered person under this Act —

- (a) must not vote or take part in any discussion or decision of the Board relating to the matter, or otherwise participate in any activity of the Board that relates to the matter;
- (b) must withdraw from any meeting or part of any meeting of the Board considering or discussing the matter if the Chairman or other member presiding at the meeting so requests; and
- (c) must be disregarded for the purpose of forming a quorum for any meeting or part of any meeting of the Board during which a discussion or decision relating to the matter occurs or is made.

*[Act 8 of 2019 wef 01/04/2020]*

(4) Subject to this Act and the Public Sector (Governance) Act 2018, the Board may regulate its own procedure.

*[Act 5 of 2018 wef 01/04/2018]*

### **Appointment of executive secretary and other employees**

9. The Board may appoint an executive secretary and other employees on such terms as the Board may determine.

### **Appointment of committees**

10.—(1) The Board may appoint one or more committees for any general or special purpose which, in the opinion of the Board, may be better dealt with or managed by a committee.

(2) The Board may delegate any of its powers or functions to any committee so appointed, with or without restrictions or conditions as the Board thinks fit.

(3) The number and term of office of the members of a committee appointed under this section and the number of those members necessary to form a quorum shall be fixed by the Board.

(4) A committee appointed under this section may include persons who are not members of the Board.

(5) *[Deleted by Act 5 of 2018 wef 01/04/2018]*

### PART III

## REGISTRATION OF TRADITIONAL CHINESE MEDICINE PRACTITIONERS

### **Registrar**

**11.—**(1) There must be a chief executive of the Board called the Registrar of the Board, whose appointment and removal must be in accordance with the Public Sector (Governance) Act 2018.

(2) The Board may, subject to the Public Sector (Governance) Act 2018, appoint an individual to act temporarily as the Registrar during any period, or during all periods, when the Registrar —

(a) is absent from duty or Singapore; or

(b) is, for any reason, unable to perform the duties of the office.

*[Act 5 of 2018 wef 01/04/2018]*

### **Register of Traditional Chinese Medicine Practitioners**

**12.—**(1) In addition to duties under the Public Sector (Governance) Act 2018, the Registrar shall keep a Register of Traditional Chinese Medicine Practitioners which shall —

(a) consist of such parts as the Board may determine; and

(b) contain in the appropriate part the following particulars of every registered person:

(i) his name and address;

(ii) the date of his registration;

(iii) the qualification by virtue of which he is registered and the date he obtained that qualification; and

(iv) such other particulars as the Board may determine.

*[Act 5 of 2018 wef 01/04/2018]*

(2) The Registrar shall be responsible for the maintenance and custody of the Register.

(3) A registered person shall inform the Registrar in writing of any change in his name, working address, residential address, or such other particulars as may be prescribed, within 28 days of the change.

(4) Any person who fails to comply with subsection (3) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

(5) A person who makes a report of a change in his residential address under section 8 of the National Registration Act (Cap. 201) shall be deemed to have complied with subsection (3) relating to residential address on the date on which he makes the report.

### **Alteration of Register**

**13.** The Registrar shall —

(a) insert in the Register any alteration to the name, address or other particulars of any registered person which may come to his knowledge;

(b) correct any error in any entry in the Register which may come to his knowledge;

(c) remove from the Register the name of any person —

(i) whose registration is cancelled under any provision of this Act; or

(ii) who is deceased; and

(d) insert in the Register any alteration to the qualifications or any additional qualifications of a registered person.

### **Prescribed practices of traditional Chinese medicine**

**14.—**(1) The Minister may from time to time, by order published in the *Gazette*, declare any type of practice of traditional Chinese

medicine as a prescribed practice of traditional Chinese medicine if he is of the opinion that it is in the public interest for that type of practice of traditional Chinese medicine to be regulated under this Act.

(2) Any person who desires to carry out any prescribed practice of traditional Chinese medicine shall make an application for registration to the Board in accordance with the regulations made under this section.

(3) The Board may, subject to the regulations made under this section, register a person to carry out any prescribed practice of traditional Chinese medicine.

(4) The Minister may, in respect of each prescribed practice of traditional Chinese medicine, make regulations to provide for or with respect to the following matters:

- (a) different classes of registration;
- (b) the form and manner of application, and the application fee, for each class of registration;
- (c) the qualifications and other requirements for each class of registration;
- (d) the conditions and duration of each class of registration;
- (e) the circumstances in which a class of registration may be altered or renewed and the fees payable in respect thereof;
- (f) the course, qualifying examination and evaluation for the purpose of any class of registration, the fees payable for such course, examination and evaluation, and the conditions upon which an applicant may be exempted from such course, examination or evaluation;
- (g) the practice and conduct of registered persons, including the carrying out of the prescribed practice of traditional Chinese medicine, the use of any means of giving publicity to their practice and the use of titles and qualifications;
- (h) the exemption of persons or classes of persons from registration; and

- (i) incidental, supplementary or transitional matters in respect of the declaration of any type of practice of traditional Chinese medicine as a prescribed practice of traditional Chinese medicine.

### **Refusal of registration**

**15.**—(1) The Board may refuse to register any applicant for the carrying out of any prescribed practice of traditional Chinese medicine who —

- (a) in the opinion of the Board, may not be registered in accordance with the regulations made under section 14(4);
- (b) in the opinion of the Board, is not of good reputation and character; or
- (c) fails to satisfy the Board that he is able to effectively and safely carry out that prescribed practice of traditional Chinese medicine.

(2) Where the Board refuses to register an applicant, the Board shall by notice in writing inform the applicant of such refusal.

(3) Any person who is aggrieved by any refusal of the Board under subsection (1) may, within 30 days of the notice given under subsection (2), appeal to the Minister whose decision shall be final.

### **Certificate of registration**

**16.**—(1) Upon the registration of a person, the Board shall grant to him a certificate of registration and specify in the certificate the prescribed practice or practices of traditional Chinese medicine for which the person is registered.

(2) A person whose registration is cancelled or suspended under section 19 shall surrender his certificate of registration in respect of that registration to the Board within 14 days of being notified by the Board of such cancellation or suspension.

(3) Any person who fails to comply with subsection (2) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

**Practising certificate**

17.—(1) A registered person who desires to obtain a practising certificate for the prescribed practice of traditional Chinese medicine for which he is registered shall make an application to the Board in such form and manner as the Board may prescribe.

(2) The application shall be accompanied by the prescribed fee.

(3) A practising certificate shall be valid for such period as the Board may determine.

(4) An application for the renewal of a practising certificate shall be made no later than 30 days before the expiration of the practising certificate and shall be made in such form and manner as the Board may prescribe.

(5) A registered person who applies for a practising certificate later than 30 days before the expiration of the practising certificate shall be liable to pay to the Board such late application fee as the Board may prescribe.

(5A) The Board may refuse to grant or renew a practising certificate to a registered person if the registered person fails to comply with any prescribed requirements relating to —

- (a) continuing professional education for the practice of traditional Chinese medicine; or
- (b) any other aspect of the practice of traditional Chinese medicine.

*[Act 8 of 2019 wef 01/04/2020]*

(6) A practising certificate issued to a registered person is deemed to be cancelled when —

- (a) the registration of the registered person is cancelled or suspended under section 19 or 26A; or
- (b) an interim order against the registered person is confirmed by the Board under section 26H(8)(a).

*[Act 8 of 2019 wef 01/04/2020]*

(6A) A person whose practising certificate is deemed to be cancelled under subsection (6) must surrender the practising

certificate to the Board no later than the 14th day after the cancellation of the practising certificate.

*[Act 8 of 2019 wef 01/04/2020]*

(7) Any person who fails to comply with subsection (6A) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

*[Act 8 of 2019 wef 01/04/2020]*

### **List of registered traditional Chinese medicine practitioners with practising certificates**

18. The Registrar must publish, in such manner as the Board considers will secure adequate publicity to members of the public, a list of the names, practice addresses, qualifications, classes of registration and dates of qualifications and registration of all registered persons who have in force a practising certificate.

*[Act 8 of 2019 wef 01/04/2020]*

### **Power of Board to cancel registration, etc.**

19.—(1) The Board may cancel the registration of a registered person if the Board is satisfied that he —

- (a) has obtained his registration by a fraudulent or incorrect statement;
- (b) has had any of his qualifications by virtue of which he was registered withdrawn or cancelled by the authority through which it was acquired or by which it was awarded;
- (c) has had his registration in any other country for the practice of traditional Chinese medicine, or for the prescribed practice of traditional Chinese medicine to which the registration relates, withdrawn, suspended or cancelled;
- (d) has ceased to carry on the prescribed practice of traditional Chinese medicine for which he is registered;
- (e) has failed to comply with any condition to which his registration is subject;
- (f) has contravened any regulation made under this Act relating to the practice and conduct of registered persons that applies to him;



- (g) has been convicted of an offence in Singapore or elsewhere involving fraud or dishonesty;
- (h) has been convicted of an offence in Singapore or elsewhere implying a defect in character which renders him unfit to remain on the Register;
- (i) has been guilty of any professional misconduct or negligence;
- (ia) has failed to comply with any order of the Board under subsection (2)(ab), (b) or (ca);  
*[Act 8 of 2019 wef 01/04/2020]*
- (j) has been guilty of any improper act or conduct which renders him unfit to remain on the Register; or
- (k) is unable to carry out the prescribed practice of traditional Chinese medicine for which he is registered safely or effectively by reason of a mental or physical condition.  
*[Act 8 of 2019 wef 01/04/2020]*

(2) Where a registered person is liable to have his registration cancelled on any of the grounds referred to in subsection (1)(e) to (j), the Board may, instead of cancelling his registration, take one or more of the following measures:

- (a) caution or censure him;
- (aa) issue a letter of advice to the registered person;  
*[Act 8 of 2019 wef 01/04/2020]*
- (ab) order the registered person to give an undertaking, on such terms as the Board thinks fit, to abstain from the conduct that is the subject of a complaint against, or information about, the registered person under section 26B;  
*[Act 8 of 2019 wef 01/04/2020]*
- (b) order the registered person to pay —
  - (i) a penalty not exceeding \$10,000; or
  - (ii) a penalty not exceeding \$50,000, if the act or omission that is the subject of the complaint or information occurred on or after the date of commencement of section 7(d) of the Traditional

Chinese Medicine Practitioners (Amendment)  
Act 2019;

*[Act 8 of 2019 wef 01/04/2020]*

- (ba) alter the registered person's class of registration;  
*[Act 8 of 2019 wef 01/04/2020]*
- (c) modify the conditions of the registration of the registered person for a period not exceeding 3 years;  
*[Act 8 of 2019 wef 01/04/2020]*
- (ca) order that the complaint against, or information about, the registered person under section 26B be referred for mediation between the registered person and the person who made the complaint or provided the information (called the complainant), including ordering —
  - (i) the personal attendance of the registered person and the complainant before a mediator specified by the Board; and
  - (ii) the registered person to supply a report of the outcome of that mediation by the mediator mentioned in sub-paragraph (i) to the Board;  
*[Act 8 of 2019 wef 01/04/2020]*
- (d) suspend his registration for a period not exceeding 3 years.  
*[Act 8 of 2019 wef 01/04/2020]*

(2A) Where a registered person is liable to have his registration cancelled on the ground in subsection (1)(k), the Board may, instead of cancelling the registration of the registered person, take one or more of the following measures:

- (a) suspend the registration of the registered person for a period not exceeding 12 months;
- (b) alter the registered person's class of registration;
- (c) modify the conditions of the registration of the registered person for a period not exceeding 3 years.

*[Act 8 of 2019 wef 01/04/2020]*

(3) The Board shall, before exercising its power under subsection (1), (2) or (2A) —

- (a) notify the registered person of its intention to exercise the power and give him an opportunity to be heard either personally or by counsel; and
- (b) consider the findings and recommendation of the relevant Inquiry Committee as reported to the Board under section 26E(2).

*[Act 8 of 2019 wef 01/04/2020]*

*[Act 8 of 2019 wef 01/04/2020]*

(4) Every penalty imposed under subsection (2)(b) shall be recoverable as a debt due to the Board.

(5) Subject to subsection (5A) and section 21(3), a decision of the Board made under subsection (1), (2) or (2A) does not take effect until the 31st day after the date of the decision.

*[Act 8 of 2019 wef 01/04/2020]*

(5A) The Board's decision to cancel the registration of a registered person under subsection (1) takes immediate effect when the Board certifies that there are reasonable grounds to believe that —

- (a) there is a serious and imminent risk to the public if the cancellation of the registration does not take immediate effect; or
- (b) it is appropriate or requisite that the cancellation takes immediate effect in order to avoid any actual incident that endangers the public.

*[Act 8 of 2019 wef 01/04/2020]*

(5B) Where the Board so certifies under subsection (5A), the Registrar must immediately serve a notice of the Board's decision on the registered person concerned.

*[Act 8 of 2019 wef 01/04/2020]*

(6) While the registration of a registered person for the carrying out of a prescribed practice of traditional Chinese medicine remains suspended, he shall not be regarded as a registered person in respect of that prescribed practice of traditional Chinese medicine for the purposes of this Act, but on the expiry of his suspension, his rights and privileges under this Act shall be revived.

(7) Where a person is registered in respect of 2 or more prescribed practices of traditional Chinese medicine, the Board may take action

under this section in relation to his registrations for both or all of those prescribed practices of traditional Chinese medicine without having to institute separate proceedings.

### Costs

**20.**—(1) The Board may order a registered person to pay such sums as the Board thinks fit in respect of the costs and expenses of or incidental to any inquiry or investigation conducted or action taken against the registered person where the Board —

- (a) cancels the registration of the registered person under section 19(1);
- (b) takes any action against the registered person under section 19(2) or (2A); or
- (c) confirms an interim order made against the registered person under section 26H(8)(a).

*[Act 8 of 2019 wef 01/04/2020]*

(2) The General Division of the High Court shall have jurisdiction to tax the sums ordered to be paid under subsection (1).

*[Act 40 of 2019 wef 02/01/2021]*

(3) Such sums shall be recoverable as a debt due to the Board.

(4) The costs and expenses mentioned in subsection (1) include —

- (a) the costs and expenses of any assessor or advocate and solicitor appointed by the Board for any proceedings before an Inquiry Committee;
- (b) such reasonable expenses as the Board may pay to witnesses; and
- (c) such other reasonable expenses as are necessary for the conduct of the proceedings before the Inquiry Committee.

*[Act 8 of 2019 wef 01/04/2020]*

### Appeal

**21.**—(1) Any person who is aggrieved by a decision of the Board under section 19(1), (2) or (2A) may, within 30 days of the date of the decision or within such further period as the General Division of the

High Court may allow, appeal to the General Division of the High Court against the decision.

*[Act 8 of 2019 wef 01/04/2020]*

*[Act 40 of 2019 wef 02/01/2021]*

(2) There shall be no appeal from a decision of the General Division of the High Court.

*[Act 40 of 2019 wef 02/01/2021]*

(3) Where a person appeals to the General Division of the High Court against the Board's decision mentioned in subsection (1), the decision, if not certified under section 19(5A), takes effect only when —

(a) the decision is confirmed by the General Division of the High Court;

*[Act 40 of 2019 wef 02/01/2021]*

(b) the appeal is for any reason dismissed by the General Division of the High Court; or

*[Act 40 of 2019 wef 02/01/2021]*

(c) the appeal is withdrawn.

*[Act 8 of 2019 wef 01/04/2020]*

*[Act 40 of 2019 wef 02/01/2021]*

### **Conviction final and conclusive**

**22.** The Board in taking action under section 19, and the General Division of the High Court on appeal from an order of the Board under section 21, shall accept the conviction of a registered person for a criminal offence as final and conclusive.

*[Act 40 of 2019 wef 02/01/2021]*

### **Restoration of registration**

**23.—(1)** A person whose registration has been cancelled under section 19 or 26A may apply to the Board for his name to be re-registered.

*[Act 8 of 2019 wef 01/04/2020]*

(2) The Board may, after considering all relevant circumstances, and upon the compliance by the applicant of all conditions imposed by the Board, if any, and the payment of the prescribed fee, re-register him.

- (3) No application for re-registration shall be made to the Board —
- (a) before the expiration of 3 years from the date of the cancellation; and
  - (b) more than once in any period of 12 months.

PART IV

OFFENCES

**Unlawful engagement in prescribed practice of traditional Chinese medicine**

- \*24.**—(1) No person shall —
- (a) carry out any prescribed practice of traditional Chinese medicine; or
  - (b) advertise or otherwise hold himself out to be qualified to carry out any prescribed practice of traditional Chinese medicine,

unless he is a qualified person in respect of that prescribed practice of traditional Chinese medicine and he carries out that prescribed practice in accordance with the conditions of his registration prescribed under section 14(4).

(2) No person shall employ any person who is not a qualified person in respect of a prescribed practice of traditional Chinese medicine to carry out that prescribed practice of traditional Chinese medicine.

(3) Subsections (1) and (2) are subject to any transitional or saving provisions in any regulations made under section 14(4).

(4) Any person who acts in contravention of subsection (1) or (2) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$25,000 or to imprisonment for a term not exceeding 6 months or to both and, in the case of a second or subsequent conviction, to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 12 months or to both.

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\*Section 24 came into operation on 1st January 2002 (S 676/2001).

(5) In any proceedings for a contravention of subsection (2), it shall be a defence for the defendant to prove that —

- (a) he did not know that the person he employed was not a qualified person in respect of the prescribed practice of traditional Chinese medicine in question; and
- (b) he had exercised due diligence to ascertain if the person was a qualified person.

(6) For the purposes of this section, “qualified person”, in relation to a prescribed practice of traditional Chinese medicine, means a person who is —

- (a) registered to carry out; and
- (b) has in force a practising certificate which authorises him to carry out,

the prescribed practice of traditional Chinese medicine.

### **Recovery of fees**

**\*25.** No person shall be entitled to demand, claim, accept, receive, retain or sue for or recover any fee or charge in any court for any act done in contravention of section 24.

### **Fraudulent registration, etc.**

**26.** Any person who —

- (a) procures or attempts to procure registration or a certificate of registration or a practising certificate, by knowingly making or producing or causing to be made or produced any false or fraudulent declaration, certificate, application or representation, whether in writing or otherwise;
- (b) wilfully makes or causes to be made any false entry in the Register;
- (c) forges or alters a certificate of registration or practising certificate;

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\*Section 25 came into operation on 1st January 2002 (S 676/2001).

- (d) fraudulently or dishonestly uses as genuine a certificate of registration or practising certificate which he knows or has reason to believe is forged or altered; or
- (e) buys, sells or fraudulently obtains a certificate of registration or practising certificate,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 2 years or to both.

## PART IVA

### DISCIPLINARY PROCEEDINGS AND INQUIRIES

*[Act 8 of 2019 wef 01/04/2020]*

#### *Division 1 — Voluntary cancellation, suspension, etc.*

#### **Voluntary cancellation, suspension, etc.**

**26A.**—(1) A registered person may request the Board in writing to take one or more of the actions in subsection (2) if the registered person believes that —

- (a) the registered person's fitness to practise the prescribed practice of traditional Chinese medicine that he is registered to carry out is impaired by reason of his mental or physical condition; or
- (b) the quality of the professional services provided by the registered person does not meet the standard which is reasonable to expect of a traditional Chinese medicine practitioner carrying out the prescribed practice of traditional Chinese medicine that the registered person is registered to carry out.

(2) Upon receiving a request under subsection (1), the Board may, with the agreement of the registered person, do one or more of the following:

- (a) cancel the registration of the registered person;



- (b) suspend the registration of the registered person for a period not exceeding 3 years;
- (c) alter the registered person's class of registration;
- (d) modify the conditions of the registration of the registered person for a period not exceeding 3 years.

(3) However, the Board must not take any action under subsection (2) in relation to a registered person if —

- (a) the Board believes that there is evidence of any matter in section 19(1)(g), (h), (i) or (j); or
- (b) any inquiry under Division 2 has started and is pending against the registered person.

*[Act 8 of 2019 wef 01/04/2020]*

*Division 2 — Inquiries into complaints against and information on registered persons*

**Complaints against registered persons**

**26B.**—(1) A person (whether or not a member or an employee of the Board) may make a complaint against, or provide information about, any registered person to the Board touching on any matter mentioned in section 19(1).

(2) Every complaint against, or information about, any registered person mentioned in subsection (1) must —

- (a) be in writing; and
- (b) if the complaint or information relates to a matter in section 19(1)(e), (f), (i), (j) or (k), be supported by a statutory declaration unless the complaint or information is made or provided by a public officer or a member or an employee of the Board in his capacity as a public officer or such a member or an employee.

*[Act 8 of 2019 wef 01/04/2020]*

### **Review of complaints and information**

**26C.**—(1) Subject to section 26H, the Board must —

- (a) within 2 weeks after receiving any complaint against, or information about, a registered person under section 26B, start to review the complaint or information; and
- (b) complete its review of the complaint or information within 3 months after starting the review.

(2) The Board may, in the course of a review under subsection (1), require any of the following persons to answer any inquiry or provide any record that the Board considers relevant for the purpose of the review:

- (a) the person who made the complaint against, or provided the information about, the registered person;
- (b) the registered person.

(3) The Board may dismiss any complaint or information where the Board is unanimously of the opinion that the complaint or information is frivolous, vexatious, misconceived or lacking in substance.

(4) Where a complaint against, or information about, a registered person is not dismissed under subsection (3), the Board must refer the complaint or information to an Inquiry Committee.

*[Act 8 of 2019 wef 01/04/2020]*

### **Withdrawal of complaints and information**

**26D.**—(1) Where a complaint against, or information about, a registered person is withdrawn, the Board or an Inquiry Committee (as the case may be) must proceed under this Part as if the complaint had been made, or the information had been provided, by a member of the Board.

(2) The Board may, despite the withdrawal —

- (a) take any action mentioned in section 26C;
- (b) where the withdrawal takes place before the conclusion of an inquiry under section 26E into the complaint or

information — order that the inquiry into the complaint or information continue;

- (c) where the withdrawal takes place before the Board makes any decision under section 19 — make such decision under section 19(1), (2) or (2A) as the Board thinks fit; or
- (d) where the withdrawal takes place before the Board makes an interim order under section 26H(1) — make the interim order if the Board thinks fit.

*[Act 8 of 2019 wef 01/04/2020]*

### **Inquiries by Inquiry Committees**

**26E.**—(1) An Inquiry Committee must, within 2 weeks starting on the date the Board refers any complaint against, or information about, a registered person to the Inquiry Committee, start its inquiry into the complaint or information.

(2) An Inquiry Committee must complete its inquiry into the complaint or information, and report its findings and recommendation to the Board, no later than 6 months starting on the date the complaint or information is referred to the Inquiry Committee, or within any extension of time under subsection (3) if granted.

(3) The Chairman may grant in writing an extension of time to any Inquiry Committee which is unable to complete its inquiry into, and report its findings in respect of, any complaint against, or information about, any registered person within the 6-month period specified in subsection (2).

(4) For the purposes of an inquiry under this Part, an Inquiry Committee —

- (a) must direct one or more investigators to investigate into the facts and circumstances of the complaint or information in accordance with section 26F; and
- (b) must afford the registered person an opportunity of appearing before the Inquiry Committee (whether in person or represented by counsel) to be heard on the

complaint against, or information about, that registered person.

(5) Where, in the course of an inquiry on a matter other than that in section 19(1)(k), it appears to the Inquiry Committee that a registered person's fitness to practise the prescribed practice of traditional Chinese medicine that he is registered to carry out may be impaired by reason of his mental or physical condition —

- (a) the Inquiry Committee must immediately refer the matter to the Board;
- (b) the Board must refer the matter to a different Inquiry Committee; and
- (c) the Inquiry Committee mentioned in paragraph (b) must conduct an inquiry into the registered person's fitness to practise in accordance with this Part.

*[Act 8 of 2019 wef 01/04/2020]*

### **Duties of investigator in inquiries**

**26F.**—(1) An investigator directed by an Inquiry Committee under section 26E(4)(a) to investigate into the facts and circumstances of any complaint against, or information about, a registered person must give written notice of the complaint or information to that registered person.

(2) A notice under subsection (1) must include copies of the complaint or information, and of any statutory declaration that has been made in support of the complaint or information.

(3) An investigator mentioned in subsection (1) must, upon completing the investigation, submit a report on the findings of the investigation (called in this section the investigation report) to the Inquiry Committee that directed the investigator to carry out the investigation.

(4) The investigation report must include any written explanation given by the registered person after receiving a notice under subsection (1).

(5) Where an investigator, in the course of an investigation in respect of a registered person, receives any information touching on

the conduct, mental or physical condition or professional performance —

(a) of the same registered person (whether or not the information also relates to another registered person), which is outside the subject matter of the complaint or information the investigator is directed under section 26E(4)(a) to investigate; or

(b) of another registered person,

which may give rise to proceedings under this Part, the investigator must prepare and submit to the Board a report of the information received.

(6) Upon the Board receiving the report mentioned in subsection (5), section 26C applies as if the report is information received by the Board about a registered person.

*[Act 8 of 2019 wef 01/04/2020]*

### **Post-inquiry**

**26G.**—(1) A report which is required by section 26E(2) must contain —

(a) the findings of the Inquiry Committee in respect of the complaint against, or information about, the registered person concerned; and

(b) a recommendation to the Board —

(i) to take any action mentioned in section 19(1), (2) or (2A); or

(ii) to dismiss the complaint or information.

(2) The Board may, after considering the report of the Inquiry Committee required by section 26E(2) —

(a) take any action mentioned in section 19(1), (2) or (2A) as the Board thinks fit;

(b) dismiss the complaint against, or information about, the registered person concerned; or

(c) refer the complaint or information back to the Inquiry Committee for reconsideration or a further report on such matters as the Board may specify.

(3) Where the Board refers a complaint or information back to the Inquiry Committee under subsection (2)(c), the Inquiry Committee —

(a) must submit its response or further report to the Board within 8 weeks, or such longer period as the Chairman may allow in writing, starting on the date of the Board’s referral under subsection (2)(c); and

(b) for the purpose of paragraph (a), may direct an investigator to conduct such further investigations into the matter as may be necessary in accordance with section 26F.

(4) Upon receiving the Inquiry Committee’s response or further report under subsection (3), the Board must proceed in accordance with subsection (2)(a) or (b).

(5) Where, in the course of its inquiry, an Inquiry Committee receives any information touching on the conduct of the registered person concerned which discloses an offence under this Act or its subsidiary legislation or any other written law, the Inquiry Committee must record the information and report it to the Board.

*[Act 8 of 2019 wef 01/04/2020]*

*Division 3 — Interim orders*

**Interim orders**

**26H.**—(1) Where it appears to the Board that a registered person must without delay stop carrying out any prescribed practice of traditional Chinese medicine because there are reasonable grounds to believe that —

(a) there is a serious and imminent risk to the public if there is no such stoppage; or

(b) it is appropriate or requisite that an interim order be made in order to avoid any actual incident that endangers the public,

the Board may, instead of proceeding under Division 2, make an interim order.

(2) An interim order —

- (a) must require the registered person to whom it relates to stop carrying out the prescribed practice of traditional Chinese medicine that the registered person is registered to carry out;
- (b) takes effect at such time, being the earliest practicable time, as specified in the interim order; and
- (c) may be revoked at any time by the Board.

(3) In determining whether it is appropriate or requisite that an interim order be made against a registered person, the Board must have regard, in particular, to —

- (a) the extent to which the registered person or any other person is likely to sustain harm or damage; and
- (b) the nature and likely consequences of any such harm or damage,

if the registered person continues to carry out the prescribed practice of traditional Chinese medicine the registered person is registered to carry out before a decision under section 26G(2)(a) or (b) is made.

(4) Subject to subsections (5) to (8), the Board may confirm an interim order made against a registered person, with or without modifications, if the Board is satisfied that it continues to be necessary to prevent the registered person from carrying out the prescribed practice of traditional Chinese medicine that the registered person is registered to carry out.

(5) Before the Board confirms an interim order, the Board must —

- (a) refer the interim order to an Inquiry Committee; and
- (b) give written notice to the registered person concerned —
  - (i) stating that the Board proposes to confirm the interim order and setting out its effect;

- (ii) setting out the facts which, in the Board’s opinion, justifies the confirmation of the interim order; and
- (iii) specifying the period (being not less than 30 days starting on the date of service of the notice) within which the registered person may make representations or objections with respect to the proposed confirmation and modifications (if any) to the Inquiry Committee.

(6) Where the Board refers an interim order to an Inquiry Committee under subsection (5)(a) —

- (a) the Inquiry Committee must afford the registered person an opportunity of appearing before the Inquiry Committee (whether in person or represented by counsel) to be heard on the proposed confirmation and modifications (if any) of the interim order; and
- (b) sections 26E (except subsection (4)(b)), 26F and 26G(1)(a) apply with the necessary modifications.

(7) The Inquiry Committee mentioned in subsection (5)(a) may recommend that the Board confirm or not confirm the interim order, with or without modifications, after considering —

- (a) the facts which, in the Board’s opinion, justifies the confirmation of the interim order; and
- (b) any representations or objections made by the registered person concerned with respect to the proposed confirmation and modifications (if any) of the interim order.

(8) The Board may, after considering the recommendation of the Inquiry Committee under subsection (7) —

- (a) confirm the interim order, with or without modifications;  
or
- (b) not confirm the interim order.

(9) In this section, “interim order” means an order which, if not confirmed in accordance with subsection (8), ceases to have effect at



the end of such period (not exceeding 18 months) as the order may specify.

*[Act 8 of 2019 wef 01/04/2020]*

*Division 4 — Inquiry Committees*

**Appointment of Inquiry Committees**

**26I.**—(1) Subject to this section, the Board may appoint from any persons one or more Inquiry Committees to inquire under section 26E into any complaint against, or information about, any registered person.

(2) An investigator directed by an Inquiry Committee under section 26E(4)(a) to investigate into the facts and circumstances of any complaint against, or information about, a registered person must not be appointed a member of an Inquiry Committee inquiring into the same complaint or information.

(3) To avoid doubt, a public officer in the Ministry of Health is not disqualified from being appointed a member of an Inquiry Committee by reason only that the person is such a public officer.

(4) An Inquiry Committee may be appointed in connection with one or more matters or for a fixed period of time set by the Board.

(5) The production of any written instrument purporting to be signed by the Board and making an appointment under this section is evidence that such appointment has been duly made.

*[Act 8 of 2019 wef 01/04/2020]*

**Revoking appointment of Inquiry Committees, etc.**

**26J.**—(1) Subject to this section, the Board may —

(a) dissolve an Inquiry Committee, where the Board is satisfied that more than half of the members of the Inquiry Committee are unable to carry out their duties properly and effectively because of any conflict of interest or potential conflict of interest on the part of each member concerned; or

(b) remove a member of an Inquiry Committee, and appoint another person in place of that member, where the Board is

satisfied that the member concerned is unable to carry out his duties properly and effectively because of any conflict of interest or potential conflict of interest.

(2) Where any vacancy occurs in any Inquiry Committee because of the death or illness of, or other cause preventing, a member of the Inquiry Committee from continuing his duties on that Inquiry Committee, the Board may fill that vacancy by making an appointment in accordance with section 26I.

(3) The production of any written instrument purporting to be signed by the Board and —

(a) dissolving an Inquiry Committee mentioned in subsection (1)(a); or

(b) removing or replacing a member of an Inquiry Committee mentioned in subsection (1)(b),

is evidence that such dissolution, removal or replacement (as the case may be) has been duly made.

*[Act 8 of 2019 wef 01/04/2020]*

### **Confidentiality of information**

**26K.**—(1) A person to whom this section applies must not disclose any information contained in any document as may have come to the person's knowledge in the course of any inquiry under this Part unless the disclosure is made —

(a) under or for the purpose of administering this Act or its subsidiary legislation or the Infectious Diseases Act (Cap. 137); or

(b) for any other purpose with the consent of the person to whom the information relates.

(2) A person to whom this section applies who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 12 months or to both.

(3) This section applies to —

- (a) an investigator directed by any Inquiry Committee under section 26E(4)(a) to investigate any complaint against, or information about, a registered person;
- (b) a member of any Inquiry Committee; and
- (c) a member.

*[Act 8 of 2019 wef 01/04/2020]*

## PART V

### MISCELLANEOUS

#### **Examinations Committee**

**27.**—(1) The Board may appoint a committee, to be known as the Examinations Committee, which shall consist of such number of members as the Board may determine.

(2) The functions of the Examinations Committee are —

- (a) to determine the standard and content of qualifying examinations for the purpose of registration under section 14;
- (b) to organise and conduct the examinations; and
- (c) to issue certificates to persons who have passed the examinations.

#### **Investigators**

**28.** The Board may, in writing, appoint a member or an employee of the Board, a public officer or any other person as an investigator, subject to such conditions and limitations as the Board may specify.

*[Act 8 of 2019 wef 01/04/2020]*

#### **Powers for enforcement purposes**

**29.**—(1) This section provides for the enforcement powers which an investigator may exercise for any of the following purposes:

- (a) investigating into an offence under this Act or its subsidiary legislation;

- (b) investigating into any complaint or information under Part IVA;
- (c) determining whether any information provided to the Board under this Act or its subsidiary legislation is correct.

(2) Subject to subsection (4), the following are the enforcement powers that an investigator may exercise in relation to a place for a purpose in subsection (1):

- (a) to enter the place;
- (b) to search the place and any thing in or on the place;
- (c) to examine or observe any activity conducted in or on the place;
- (d) to inspect and examine any thing in or on the place;
- (e) to make any still or moving image or any recording of the place or any thing in or on the place;
- (f) to inspect any document or record in the place and to take extracts from, or make copies of, any such document or record;
- (g) to take into or onto the place such equipment and materials as the investigator requires for the purpose of exercising enforcement powers in relation to the place;
- (h) to operate electronic equipment in or on the place;
- (i) to secure a thing for a period not exceeding 24 hours if the thing is found in or on the place during the exercise of enforcement powers and the investigator believes on reasonable grounds that —
  - (i) the thing is evidential material, or is intended to be used for the purpose of contravening any provision of this Act or its subsidiary legislation or any condition of the registration of any registered person; and
  - (ii) it is necessary to secure the thing in order to prevent it from being concealed, lost or destroyed before a warrant to seize the thing is obtained;

- (j) to seize any document, record or thing which is found in or on the place during the exercise of enforcement powers that the investigator reasonably suspects is evidential material;
  - (k) to require any person found in or on the place to answer any question (to the best of that person's knowledge, information and belief) and to provide any document, record or information.
- (3) In addition, an investigator may —
- (a) for any purpose in subsection (1), require any person in Singapore whom the investigator has reason to believe to be acquainted with any facts or circumstances relevant to that purpose to attend before the investigator to answer any question (to the best of that person's knowledge, information and belief) and to provide any document, record or information; or
  - (b) for the purpose in subsection (1)(b), invite the registered person, within the period specified in the written notice mentioned in section 26F(1) (which must not be less than 21 days starting on the date of the notice), to give to the investigator any written explanation the registered person wishes to provide.
- (4) However, an investigator is not authorised by this section —
- (a) to enter a place;
  - (b) to search a place or any thing in or on a place; or
  - (c) to seize any thing in or on a place,
- for the purpose mentioned in subsection (1)(b) unless —
- (d) the occupier of the place consents to the entry, search or seizure, as the case may be;
  - (e) the investigator believes on reasonable grounds that there is an imminent or immediate danger of serious bodily injury or death to any individual who is receiving or is about to receive any treatment at the place; or

(f) the entry, search or seizure (as the case may be) is made under a warrant of a court.

(5) The power under subsection (2)(h) to operate electronic equipment in or on any place includes the power —

(a) to use a disc, tape or other storage device that is in or on the place and can be used with the equipment or in association with the equipment;

(b) to operate electronic equipment in or on the place to put the relevant data in documentary form and remove the documents so produced from the place; and

(c) to operate electronic equipment in or on the place to transfer the relevant data to a disc, tape or other storage device that —

(i) is brought to the place for the exercise of the power;  
or

(ii) is in or on the place and the use of which for that purpose has been agreed in writing by the occupier of the place,

and to remove the disc, tape or other storage device from that place.

(6) The power under subsection (2)(i) to secure any thing which is found during the exercise of enforcement powers in or on any place includes the power —

(a) to secure the thing by locking it up, placing a guard or any other means; or

(b) to prohibit any person from dealing with the thing.

(7) The power under subsection (2)(j) to seize any document, record or thing under warrant includes the power to seize any document, record or thing which is similarly so found that is not evidential material of the kind specified in the warrant if —

(a) in the course of searching for the kind of evidential material specified in the warrant, the investigator finds the document, record or thing; and

(b) the document, record or thing is evidential material for another offence under this Act or its subsidiary legislation.

(8) However, a person is not subject to a requirement under subsection (2)(k) or (3)(a) if the person —

(a) does not possess the document, record or information required; or

(b) has taken all reasonable steps available to the person to obtain the document, record or information required and has been unable to obtain it.

(9) A statement made by a person in answer to a question under subsection (2)(k) or (3)(a) must —

(a) be reduced to writing;

(b) be read over to the person;

(c) if the person does not understand English, be interpreted in a language that the person understands; and

(d) after correction (if necessary), be signed by the person.

(10) An investigator may be assisted by other individuals in exercising enforcement powers under this section if that assistance is necessary and reasonable.

(11) In this section, “place” means any premises which are used, or in respect of which there are reasonable grounds to believe are being or have been used, by any person —

(a) to carry out any prescribed practice of traditional Chinese medicine; or

(b) to keep any document, record or thing used in connection with the carrying out of any prescribed practice of traditional Chinese medicine.

*[Act 8 of 2019 wef 01/04/2020]*

**False information and obstruction of performance of official duties**

**30.—(1)** If —

- (a) a person provides a document or record or gives information (whether orally or in writing) to an investigator;
- (b) the document or record is provided, or the statement is made or the information is given, for or in connection with any purpose under this Act or its subsidiary legislation;
- (c) the document, record, statement or information is false or misleading, or the statement or information omits any matter or thing without which the statement or information (as the case may be) is misleading; and
- (d) the person knows, or ought reasonably to know, that the document or record is false or misleading, or that the statement or information is as described in paragraph (c),

the person shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

(2) Subsection (1) does not apply if the document, record, statement or information is not false or misleading in a material particular, or if the statement or information does not omit any matter or thing without which the statement or information (as the case may be) is misleading in a material particular.

(3) A person who knowingly obstructs or prevents, or attempts to obstruct or prevent, an investigator in the discharge of the investigator's powers or duties under this Act or its subsidiary legislation shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

(4) A person —

- (a) who intentionally alters, suppresses or destroys any document, record or information which the person has



been required by or under section 29(2)(k) or (3)(a) to provide; or

- (b) who, in providing any document, record or information required by or under section 29(2)(k) or (3)(a), makes any statement which the person knows or ought reasonably to know that, or is reckless as to whether, it is false or misleading in a material particular,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

(5) A person who, without reasonable excuse, fails to do anything required of the person under section 29(2)(k) or (3)(a) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

(6) To avoid doubt, for the purposes of subsection (5), it is a reasonable excuse for a person to refuse or fail to produce any document or record, provide any information or answer any question if doing so might tend to incriminate that person.

*[Act 8 of 2019 wef 01/04/2020]*

### **Disposal and forfeiture of seized documents, records and things**

**30A.**—(1) Any document, record or thing seized under section 29(2)(j) must —

- (a) where the document, record or thing is produced in any criminal trial, be dealt with in accordance with section 364 of the Criminal Procedure Code (Cap. 68);
- (b) where the owner of the document, record or thing consents to its disposal, be deemed to be forfeited; or
- (c) in any other case —
  - (i) be returned to the owner; or
  - (ii) be reported to a Magistrate’s Court.

(2) Where the seizure of any document, record or thing under section 29(2)(j) is reported to a Magistrate’s Court under

subsection (1)(c)(ii), the Magistrate's Court may order the document, record or thing —

(a) to be forfeited; or

(b) to be disposed of in such manner as the Magistrate's Court thinks fit.

(3) Subject to any order to the contrary by the Magistrate's Court, any document, record or thing forfeited or deemed to be forfeited under this section must be delivered to the Board and must be disposed of in such manner as the Registrar thinks fit.

(4) This section does not affect any right to retain or dispose of any property which may exist in law apart from this section.

*[Act 8 of 2019 wef 01/04/2020]*

### **Funds of Board**

**31.—**(1) All fees, penalties and other moneys payable under this Act that are not paid are recoverable as a debt due to the Board.

*[Act 8 of 2019 wef 01/04/2020]*

(1A) Subject to subsection (1B), all fees and other moneys collected or recovered by the Board under this Act must be paid to the Board.

*[Act 8 of 2019 wef 01/04/2020]*

(1B) All penalties and composition sums collected by the Board under this Act must be paid into the Consolidated Fund.

*[Act 8 of 2019 wef 01/04/2020]*

(2) All moneys received by the Board or the Registrar shall be paid into the funds of the Board.

(3) The costs and expenses of and incidental to the performance of the functions of the Board and any committee appointed by the Board shall be paid by the Board out of its funds.

(4) The Minister may pay into the funds of the Board such sum of money out of moneys to be provided by Parliament as the Minister may determine.

(5) *[Deleted by Act 5 of 2018 wef 01/04/2018]*

### **Assessor to Board**

**32.**—(1) For the purposes of advising the Board and any committee appointed by the Board, the Board may appoint an assessor to the Board who shall be an advocate and solicitor of not less than 10 years' standing.

(2) The assessor shall not participate or sit in any deliberations of the Board or its committees unless invited to do so, and his participation shall be limited only to questions of law arising from the proceedings.

(3) The Board may pay to the assessor such remuneration, to be paid as part of the expenses of the Board, as the Board may determine.

### **No action against Board, etc., in absence of bad faith**

**33.** No action or legal proceedings shall lie against the Board, any committee appointed by the Board, or any member or employee of the Board or committee, for any act or thing done under this Act unless it is proved to the court that the act or thing was done in bad faith or with malice.

### **Service of documents**

**34.** Any notice, order or document required or authorised to be served under this Act shall be deemed to be duly served —

- (a) by delivering a copy thereof personally or by leaving it with some adult person at the last known place of residence or business of the person on whom it is to be served; or
- (b) by sending it by registered post addressed to the person or whom the notice is to be served at his last known place of residence or business.

### **Composition of offences**

**34A.**—(1) The Board may compound any offence under this Act that is prescribed as a compoundable offence by collecting from a person reasonably suspected of having committed the offence a sum not exceeding the lower of the following:

(a) one half of the amount of the maximum fine that is prescribed for the offence;

(b) \$2,000.

(2) On payment of such sum of money, no further proceedings are to be taken against that person in respect of the offence.

*[Act 8 of 2019 wef 01/04/2020]*

### **Exemption**

**35.** The Minister may, in his discretion and subject to such conditions as he thinks fit, by order exempt any person or class of persons from all or any of the provisions of this Act.

### **Regulations**

**36.—**(1) Subject to the provisions of this Act, the Board may, with the approval of the Minister, make such regulations as may be necessary or expedient to give effect to the provisions and purposes of this Act and for the due administration thereof.

(2) Without prejudice to the generality of subsection (1), regulations may be made to —

(a) provide for the duties of the Registrar;

(b) provide for the form of the Register and the mode in which it shall be kept;

(c) regulate the procedure of any committee appointed by the Board and the conduct of any proceedings of the committee;

(d) provide for payment of fees to any member or any committee appointed by the Board;

(da) provide for the appointment of members to and composition of an Inquiry Committee;

*[Act 8 of 2019 wef 01/04/2020]*

(db) prescribe the procedures to be followed by, and regulate the conduct of, any inquiry by an Inquiry Committee, including, for the purposes of any hearing before the Inquiry Committee —

- (i) enabling the Inquiry Committee to order and give discovery and inspection of documents; and
- (ii) enabling any party to the inquiry to issue subpoenas to testify or subpoenas to produce documents;  
*[Act 8 of 2019 wef 01/04/2020]*
- (e) regulate the removal and restoration of names in the Register;
- (ea) provide for the grant and renewal of practising certificates, including prescribing requirements relating to continuing professional education for, and any other aspect of, the practice of traditional Chinese medicine for such grant and renewal;  
*[Act 8 of 2019 wef 01/04/2020]*
- (eb) regulate the professional practice, etiquette, conduct and discipline of registered persons;  
*[Act 8 of 2019 wef 01/04/2020]*
- (f) prescribe the forms necessary for the administration of this Act;
- (g) prescribe the fees and other charges for the purposes of this Act;
- (h) provide that any person who contravenes any regulation made under this Act shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both; and
- (i) prescribe such other matter as are necessary or authorised to be prescribed under this Act.

### **Amendment of Schedule**

**37.** The Minister may, by order published in the *Gazette*, add to or amend the Schedule.

**38.** *[Repealed by Act 4 of 2021 wef 01/03/2021]*

**THE SCHEDULE**

LEGISLATIVE HISTORY  
TRADITIONAL CHINESE MEDICINE PRACTITIONERS ACT  
(CHAPTER 333A)

This Legislative History is provided for the convenience of users of the Traditional Chinese Medicine Practitioners Act. It is not part of the Act.

**1. Act 34 of 2000 — Traditional Chinese Medicine Practitioners Act 2000**

Date of First Reading	:	9 October 2000 (Bill No. 30/2000 published on 10 October 2000)
Date of Second and Third Readings	:	14 November 2000
Date of commencement	:	7 February 2001 (except sections 24 and 25)

**2. 2001 Revised Edition — Traditional Chinese Medicine Practitioners Act**

Date of operation	:	31 December 2001
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**3. Act 34 of 2000 — Traditional Chinese Medicine Practitioners Act 2000**

Date of First Reading	:	9 October 2000 (Bill No. 30/2000 published on 10 October 2000)
Date of Second and Third Readings	:	14 November 2000
Date of commencement	:	1 January 2002 (sections 24 and 25)

**4. Act 5 of 2018 — Public Sector (Governance) Act 2018**

Date of First Reading	:	6 November 2017 (Bill No. 45/2017 published on 6 November 2017)
Date of Second and Third Readings	:	8 January 2018
Date of commencement	:	1 April 2018

**5. Act 8 of 2019 — Traditional Chinese Medicine Practitioners  
(Amendment) Act 2019**

Date of First Reading	:	14 January 2019 (Bill No. 2/2019 published on 14 January 2019)
Date of Second and Third Readings	:	11 February 2019
Date of commencement	:	1 April 2020

**6. Act 40 of 2019 — Supreme Court of Judicature (Amendment) Act 2019**

Date of First Reading : 7 October 2019 (Bill No. 32/2019 published on 7 October 2019)

Date of Second and Third Readings : 5 November 2019

Date of commencement : 2 January 2021

**7. Act 4 of 2021 — Statute Law Reform Act 2021**

Date of First Reading : 3 November 2020 (Bill No. 45/2020 published on 3 November 2020)

Date of Second and Third Readings : 5 January 2021

Date of commencement : 1 March 2021



**COMPARATIVE TABLE**  
**TRADITIONAL CHINESE MEDICINE PRACTITIONERS ACT**  
**(CHAPTER 333A)**

The following provisions in the Traditional Chinese Medicine Practitioners Act 2000 (Act 34 of 2000) have been renumbered by the Law Revision Commissioners in this 2001 Revised Edition.

This Comparative Table is provided for the convenience of users. It is not part of the Traditional Chinese Medicine Practitioners Act.

<b>2001 Ed.</b>	<b>Act 34 of 2000</b>
<i>Omitted</i>	<b>38—(1)</b>
<b>38</b>	(2)